

## **REMARKS**

This paper is presented in response to the Office Action. By this paper, claims 1-35 are canceled, and new claims 36-51 are added. Claims 36-51 are now pending in view of the aforementioned cancellations and new claims.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

Applicant notes that the remarks or a lack of remarks, presented herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

### **II. Objection to Claims 28-34**

The Examiner has objected to claims 28-34 because of a formality. Applicant has herein canceled claims 28-34, thus making this objection moot.

### **III. Rejection of Claims 28-34 under 35 U.S.C. § 103**

The Examiner has rejected claims 28-34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,571,191 to York et al. ("*York*") in view of U.S. Patent No. 5,572,424 to Kellog ("*Kellog*"). Applicant disagrees but submits that in view of the cancellation herein of claims 28-34, the rejection is moot and should be withdrawn.

### **IV. Rejection of Claim 35 under 35 U.S.C. § 102**

The Examiner has rejected claim 35 under 35 U.S.C. § 102(e) as being anticipated by *York*. Applicant disagrees but submits that in view of the cancellation herein of claim 35, the rejection is moot and should be withdrawn.

**V. New Claims 36-51**

Applicant has added new claims 36-51 herein. Support for these claims can be found in the specification at, for example, Figures 2-3 and paragraphs [010], [026], [028], and [030]-[031]. Claims 36-51 are believed to be consistent with the restriction requirement made by the Examiner in the paper mailed January 24, 2005.

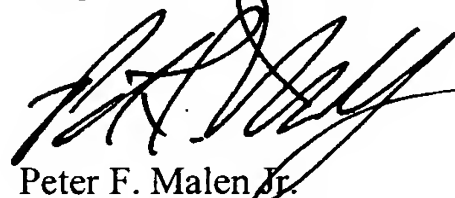
As these claims are new, the Examiner has not established that *York* or *Kellog* or any other reference teaches, or even suggests the elements of claims 36-51. As a result, Applicant respectfully submits that new claims 36-51 are in allowable condition.

**CONCLUSION**

In view of the remarks submitted herein, Applicant respectfully submits that each of the claims 36-51 now pending in this application is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 28<sup>th</sup> day of March, 2006.

Respectfully submitted,



Peter F. Malen Jr.  
Attorney for Applicant  
Registration No. 45,576  
**Customer No. 022913**  
Telephone: (801) 533-9800